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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Sung-Ho CHOI et al.

Group Art Unit: 2661

Serial No.: 09/879,651

Docket: 678-692

Filed: June 12, 2001

Dated: January 6, 2004

For: METHOD OF ASSIGNING AN UPLINK
RANDOM ACCESS CHANNEL IN A CDMA
MOBILE COMMUNICATION SYSTEM

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Mail Stop PETITION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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PETITION TO WITHDRAW HOLDING OF ABANDONMENT
UNDER 37 C.F.R. §1.181

MAY 2005

Sir:

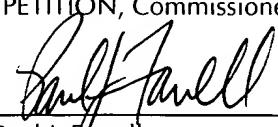
Legal Staff
International Division

Applicants respectfully request that the above-identified application be revived as a pending application, and hereby petition that the abandonment set forth in the Notice of Abandonment mailed December 17, 2003 be withdrawn.

A Notice to File Missing Parts of Non-Provisional Application ("Notice") was mailed August 9, 2001 in connection with this application. Applicants duly responded to this Notice by filing a Response to Notice to File Missing Parts on October 18, 2001. Applicants respectfully submit herewith copies of the following documents:

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postpaid in an envelope, addressed to the: Mail Stop PETITION, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on January 6, 2004.

Dated: January 6, 2004
Paul J. Farrell

1. Notice of Abandonment dated December 17, 2003;
2. Notice to File Missing Parts of Non-Provisional Application dated August 9, 2001;
3. Return receipt postcard bearing the U.S. Patent and Trademark Office mail room date stamp dated January 8, 2002;
4. Petition for Extension of Time which bears a Certificate of Mailing Under 37 C.F.R. §1.8(a) dated October 18, 2001;
5. Response to Notice to File Missing Parts of Non-Provisional Application which bears a Certificate of Mailing Under 37 C.F.R. §1.8(a) dated October 18, 2001; and
6. Executed Declaration.

Since Applicants properly filed the Response to Notice to File Missing Parts in a timely fashion, it is believed that the Notice of Abandonment was improperly issued and should be withdrawn. It is respectfully requested that the application be revived as a pending application.

It is Applicants' belief that no fee should be required since the Notice of Abandonment was improperly issued through no fault of Applicant. If a fee is due, please charge said fee to Deposit Account No. 04-1121. TWO (2) COPIES OF THIS SHEET ARE ENCLOSED.

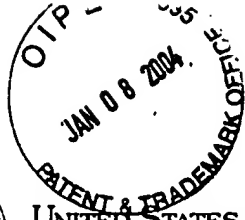
Respectfully submitted,



Paul J. Farrell
Registration No. 33,494
Attorney for Applicants

DILWORTH & BARRESE, LLP
333 Earle Ovington Boulevard
Uniondale, New York 11553
(516) 228-8484

PJF/WAG

**COPY**

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/879,651	06/12/2001	Sung-Ho Choi	678-692 (P9828)

CONFIRMATION NO. 4236

FORMALITIES LETTER

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JAN 12 2004

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Date Mailed: 08/09/2001

Paul J. Farrell, Esq.
DILWORTH & BARRESE, LLP
333 Earle Ovington Blvd.
Uniondale, NY 11553

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

*A copy of this notice **MUST** be returned with the reply.*

R.B.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

COPY

PATENT

Atty. Docket: 678-692 (P9828)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Sung-Ho CHOI et al.

Serial No.: 09/879,651

Group: Art Unit 2661

Filed: June 12, 2001

Dated: October 18, 2001

For: METHOD OF ASSIGNING AN UPLINK
RANDOM ACCESS CHANNEL IN A
CDMA MOBILE COMMUNICATION SYSTEM

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ATTN: BOX MISSING PARTS
Assistant Commissioner for Patents
Washington, DC 20231

Technology Center 2600

**RESPONSE TO NOTICE TO FILE MISSING PARTS
OF NON-PROVISIONAL APPLICATION**

Sir:

In response to the Notice to File Missing Parts of Non-Provisional Application - Filing Date Granted, dated August 9, 2001, applicants enclose herewith a properly executed original Declaration and Power of Attorney in compliance with 37 C.F.R. §1.63. Also enclosed is a check for \$130.00 to cover the surcharge under 37 C.F.R. § 1.16(e) along with a copy of the Notice to File Missing Parts of Non-Provisional Application - Filing Date Granted.

CERTIFICATION UNDER 37 C.F.R. § 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service on this date October 18, 2001 in an envelope addressed to: Attn: Box Missing Parts, Assistant Commissioner for Patents, Washington, D.C. 20231.

Paul J. Farrell

Type or print name of person mailing paper)



(Signature of person mailing paper)

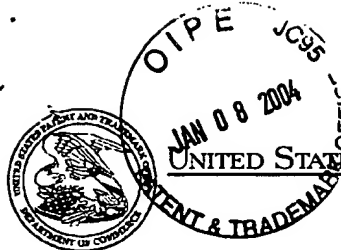
If the enclosed check is insufficient for any reason or becomes detached, please charge the required fee under 37 C.F.R. § 1.16(e) to Deposit Account No. 04-1121. Also, in the event any additional extensions of time are required, please treat this paper as a petition to extend the time as required and charge Deposit Account No. 04-1121. TWO (2) COPIES OF THIS SHEET ARE ENCLOSED.

Respectfully submitted,



Paul J. Farrell
Registration No. 33,494
Attorney for Applicants

DILWORTH & BARRESE, LLP
333 Earle Ovington Blvd.
Uniondale, NY 11553
(516) 228-8484
(516) 228-8516 (fax)

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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/879,651	06/12/2001	Sung-Ho Choi	678-692 (P9828)

CONFIRMATION NO. 4236

**ABANDONMENT/TERMINATION
 LETTER**


OC000000011512638

Paul J. Farrell, Esq.
 DILWORTH & BARRESE, LLP
 333 Earle Ovington Blvd.
 Uniondale, NY 11553

Date Mailed: 12/17/2003

NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)
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The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 08/09/2001.

- No reply was received.

A petition to the Commissioner under 37 CFR 1.137 may be filed requesting that the application be revived.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(l); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Any questions concerning petitions to revive should be directed to the "Office of Petitions" at (703) 305-9282. Petitions should be mailed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



COPY

THE U.S. PATENT AND TRADEMARK OFFICE DATE
STAMP WILL ACKNOWLEDGE RECEIPT OF:

1. Petition for Extension of Time
2. Check in the amount of \$240.00 (\$130 - late Declaration and \$110 - one-month extension)
3. Response to Notice to File Missing Parts of Non-Provisional Application
4. Executed Declaration and Power of Attorney
5. Copy of Form PTO 1533
6. Return postcard

All submitted under Certificate of Mailing 37 C.F.R. §1.8(a)
dated October 18, 2001

Applicants Sung-Ho CHOI et al.
Serial No. 09/879,651
Filed June 12, 2001

For METHOD OF ASSIGNING AN UPLINK RANDOM ACCESS CHANNEL
IN A CDMA MOBILE COMMUNICATION SYSTEM

Docket No. 678-692
PJF:mb



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Applicant(s): Sung-Ho CHOI et al.

Serial No.: 09/879,501

Group Art Unit: 2661

Filed: June 12, 2001

Docket: 678-692 (P9828)

For: METHOD OF ASSIGNING AN UPLINK
RANDOM ACCESS CHANNEL IN A
CDMA MOBILE COMMUNICATION SYSTEM

Dated: October 18, 2001

COPYAssistant Commissioner for Patents
Washington, D.C. 20231PETITION FOR EXTENSION OF TIME

Sir:

Pursuant to 37 C.F.R. 1.136(a), an extension of time of

one month	<input checked="" type="checkbox"/>	\$ 110.00	Small Entity	<input type="checkbox"/>	\$ 55.00
two months	<input type="checkbox"/>	400.00		<input type="checkbox"/>	200.00
three months	<input type="checkbox"/>	920.00		<input type="checkbox"/>	460.00
four months	<input type="checkbox"/>	1,440.00		<input type="checkbox"/>	720.00

☐ An extension for _____ months has already been secured for filing the above-identified communication and the fee paid therefor of \$_____ is deducted from the total fee due for the total months of extension now requested. The fee for this extension (\$_____), minus the fee previously paid (\$_____) equals (_____ (total fee due).

is hereby requested to

- ☐ respond to the Office Action mailed _____;
- ☐ file a Notice of Appeal;
- ☐ file an Appeal Brief now due _____;
- ☒ other (specify); to respond to Notice to File Missing Parts
of Non-Provisional Application dated August 9, 2001;

The requisite fee pursuant to 37 C.F.R. 1.17 is:

☒ enclosed by check;

☒ Please charge any deficiency as well as any other fee(s) which may become due under 37 C.F.R. § 1.16 and/or 1.17, at any time during the pendency of this application, or credit any overpayment of such fee(s), to Deposit Account No. 04-1121. TWO (2) COPIES OF THIS SHEET ARE ENCLOSED.

Respectfully submitted,

Paul J. Farrell
Paul J. Farrell
Reg. No. 33,494
Attorney for Applicants

DILWORTH & BARRESE, LLP
333 Earle Ovington Blvd.
Uniondale, NY 11553
(516) 228-8484

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postpaid in an envelope, addressed to the: Attn: Box Missing Parts, Assistant Commissioner for Patents, Washington, D.C. 20231 on October 18, 2001.

Dated: October 18, 2001

Paul J. Farrell
Paul J. Farrell

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DECLARATION

Docket No. 678-692 (P9828)

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JAN 12 2004

AS A BELOW NAMED INVENTOR, I hereby declare that:

My residence, post office address and citizenship are as stated next to my name.

I believe that I am the original, first and sole (if only one name is listed below), or an original, first and joint inventor (if plural names are listed below), of the subject matter which is claimed and for which a patent is sought on the invention entitled:

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TITLE: METHOD OF ASSIGNING AN UPLINK RANDOM ACCESS CHANNEL IN A CDMA MOBILE COMMUNICATION SYSTEM

the specification of which either is attached hereto or indicates an attorney docket no. 678-692 (P9828), or:

☐ was filed in the U.S. Patent & Trademark Office on June 12, 2001 and assigned Serial No. 09/879,651
☐ and (if applicable) was amended on _____

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to patentability and to the examination of this application in accordance with Title 37 of the Code of Federal Regulations §1.56. I hereby claim foreign priority benefits under Title 35, U.S. Code §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT international application which designated at least one country other than the United States, or §119(e) of any United States provisional application(s), listed below and have also identified below any foreign applications for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

			Priority Claimed:
			Yes [X] No []
<u>33108/2000</u>	<u>KOREA</u>	<u>12 June 2000</u>	
(Application Number)	(Country)	(Day/Month/Year filed)	
<u>34612/2000</u>	<u>KOREA</u>	<u>22 June 2000</u>	Yes [X] No []
(Application Number)	(Country)	(Day/Month/Year filed)	
<u>56311/2000</u>	<u>KOREA</u>	<u>21 September 2000</u>	Yes [X] No []
(Application Number)	(Country)	(Day/Month/Year filed)	

I hereby claim the benefit under Title 35, U.S. Code, §120, of any United States application(s), or §365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application(s) in the manner provided by the first paragraph of Title 35, U.S. Code, §112, I acknowledge the duty to disclose information material to patentability as defined in Title 37, The Code of Federal Regulations, §1.56(a) which became available between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial Number)	(Filing Date)	(STATUS: patented, pending, abandoned)
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(Application Serial Number)	(Filing Date)	(STATUS: patented, pending, abandoned)
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I hereby appoint the following attorneys: PETER G. DILWORTH, Reg. No. 26,450; ROCCO S. BARRESE, Reg. No. 26,253; DAVID M. CARTER, Reg. No. 30,949; PAUL J. FARRELL, Reg. No. 33,494; PETER DELUCA, Reg. No. 32,975; JEFFREY S. STEEN, Reg. No. 32,063; JOSEPH W. SCHMIDT, Reg. No. 36,920; RAYMOND E. FARRELL, Reg. No. 34,816; ADRIAN T. CALDERONE, Reg. No. 31,746; GEORGE M. KAPLAN, Reg. No. 28,375; RUSSELL R. KASSNER, Reg. No. 35,183; CHRISTOPHER G. TRAINOR, Reg. No. 39,517; GEORGE LIKOURZOS, Reg. No. 40,067; JAMES M. LOEFFLER, Reg. No. 37,873; EDWARD C. MEAGHER, Reg. No. 41,189; MICHAEL P. DILWORTH, Reg. No. 37,311; GLENN D. SMITH, Reg. No. 42,156; MICHAEL E. CARMEN, Reg. No. 43,533; HAROLD G. FURLOW, Reg. No. 43,621; DANIEL E. TIERNEY, Reg. No. 33,481; MICHAEL J. MUSELLA, Reg. No. 33,461; JUDY NAAMAT, Reg. No. 39,311; MICHAEL R. BREW, Reg. No. 43,513; JAMES J. LILLIE, Reg. No. 46,873; and DWAYNE L. BENTLEY, Reg. No. 45,947, each of them of DILWORTH & BARRESE, LLP, 333 Earle Ovington Boulevard, Uniondale, New York 11553 to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected therewith and with any divisional, continuation, continuation-in-part, reissue or re-examination application, with full power of appointment and with full power to substitute an associate attorney or agent, and to receive all patents which may issue thereon, and request that all correspondence be addressed to:



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JAN 12 2004

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Paul J. Farrell, Esq.
DILWORTH & BARRESE, LLP
333 Earle Ovington Boulevard
Uniondale, New York 11553
Tel. No.: (516) 228-8484

I HEREBY DECLARE that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 U.S. Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

FULL NAME OF FIRST OR SOLE INVENTOR: Sung-Ho CHOI Citizenship KOREA
Inventor's signature: [Signature] Date: October 15, 2001
Residence & Post Office Address: Neulmaeul #308,302, Jeongja-dong, Pundang-gu,
Songnam-shi, Kyonggi-do, Republic of Korea

FULL NAME OF SECOND JOINT INVENTOR: Kook-Heui LEE Citizenship KOREA
Inventor's signature: [Signature] Date: October 15, 2001
Residence & Post Office Address: Cheongsolmaeul, Seokwang APT. #103-202, Keumgok-dong,
Pundang-gu, Songnam-shi, Kyonggi-do, Republic of Korea

FULL NAME OF THIRD JOINT INVENTOR: Hyun-Woo LEE Citizenship KOREA
Inventor's signature: [Signature] Date: October 15, 2001
Residence & Post Office Address: Byeoksan APT. #806-901, Kwonsan-dong, Kwonsan-gu,
Suwon-shi, Kyonggi-do, Republic of Korea

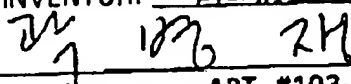
FULL NAME OF FOURTH JOINT INVENTOR: Seong-ILL PARK Citizenship KOREA
Inventor's signature: [Signature] Date: October 15, 2001
Residence & Post Office Address: Schalak APT. #859-2206, Sanbon-dong,
Gunpo-shi, Kyonggi-do, Republic of Korea

FULL NAME OF FIFTH JOINT INVENTOR: Sung-Oh HWANG Citizenship KOREA
Inventor's signature: [Signature] Date: October 15, 2001
Residence & Post Office Address: Byucksan APT. #203-501, Sugi-eup, Yongin-shi,
Kyonggi-do, Republic of Korea

FULL NAME OF SIXTH JOINT INVENTOR: Jae-Yoel KIM Citizenship KOREA
Inventor's signature: [Signature] Date: October 15, 2001
Residence & Post Office Address: Sanbon 2-danji, Backdoo APT. #980-1401, Sanbon 2-dong,
Kunpo-shi, Kyonggi-do, Republic of Korea

FULL NAME OF SEVENTH JOINT INVENTOR: Byung-Jae KWAK

Citizenship KOREA

Inventor's signature: 

Date: October 15, 2001

Residence & Post Office Address: Keonyoung APT. #103-1201, Jangantown 6B bunji, Pundang-dong,
Pundang-gu, Songnam-shi, Kyonggi-do, Republic of Korea